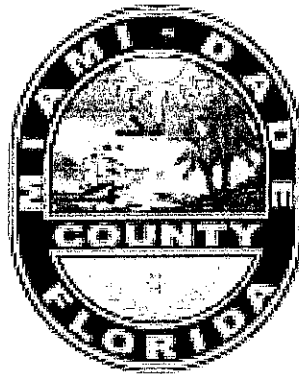


Miami Dade County

Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, Fl. 33128



LEGISLATIVE ANALYSIS

Thursday, April 22, 2004
2:00 PM
Commission Chambers

Board of County Commissioners

Transportation Committee

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

REPORT RE: EAST-WEST CORRIDOR AND SFRTA DOLPHIN CORRIDOR EXTENSION

Miami-Dade Transit Agency

I. SUMMARY

This report from the Miami-Dade County Manager details the present status of the East/West Transit Corridor project and a comparison of Miami-Dade County's Preferred Alternative as it relates to a current Federal Funding request proffered by the South Florida Regional Transit Authority (formerly know as Tri-Rail).

II. PRESENT SITUATION

On November 5, 2002 the voters of Miami-Dade County approved a .5 percent Charter County Transportation Surtax (Surtax), to be used to fund various transit and Transportation projects throughout Miami-Dade County.

The proposed projects were contained in a master plan presented to voters known as the People's Transportation Plan (PTP). One of the projects contained in the PTP was the East/West Corridor Project, designed to link Downtown Miami with the Western portion of Miami-Dade County. The Locally Preferred Alternative for this corridor seemed to favor the use of a "Heavy Rail" (or Metrorail) mode running parallel to the 836 west to the area of Florida International University in Western Miami-Dade County. This rail would connect to the current system at the Miami Intermodal Center (MIC) via a 3 mile connection known as the Earlington Heights Connector.

Subsequently, the South Florida Regional Transportation Authority (SFRTA) made up of representatives from Miami-Dade, Broward and Palm Beach Counties, was developing an alternative method of transporting commuters from the MIC area to West Dade via current at-grade train tracks to an area known as the Dolphin Mall.

A recent list of funding priorities presented by the SFRTA to congress, and signed by Congressional Delegates from South Florida, requests, among other projects, \$5 million to evaluate the Commuter train proposal to connect MIA to the Dolphin Mall via Tri-Rail..

III. POLICY CHANGE AND IMPLICATION

If the Congress, and FTA, approve the proposal by the SFTRA, it is highly likely that it would have negative consequences on the ability of Miami-Dade County to receive Federal Funds for our own preferred alternative.

It is highly unlikely that the FTA will fund two competing projects for the same Transportation Corridor.

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Although the SFRTA proposal would likely be completed sooner and cost less money, the ultimate impact in terms of ridership would be less useful for the resident of Miami-Dade County.

For example, under the SFRTA proposal, a rider desiring to get from FIU to Downtown would need to take an automotive form of transportation (car or bus) from FIU to the Dolphin Mall, the Board the Train, travel to the MIC, then board the Metrorail, and travel to the Downtown area. This would require three (3) different modes of transportation for one (1) trip.

Further, the SFRTA proposal contends that once completed, the trains could run on 20 minute intervals, where as the PTP proposal would run at intervals of between 3-5 minutes.

IV. ECONOMIC IMPACT

Although the total cost of the project proposed by the SFRTA, of \$200 million, is far less expensive than the estimated \$1.3 billion cost of the PTP project, the end result would be a less effective mode of transportation.

Additionally, any revenue derived from ridership of the SFRTA proposal would be retained by the SFRTA and not Miami-Dade County.

Although revenue derived from ridership would probably never be enough to pay for itself, these revenues are an integral part to the total PTP funding Pro Forma.

V. COMMENTS AND QUESTIONS

Ironically, Miami-Dade County will provide the SFRTA with approximately \$4.6 million annually to support the operations and Capital Improvements to Tri-Rail.

The SFRTA is utilizing money provided to it by the County as local matching dollars to compete against Miami-Dade County for Federal funding.

As competition for Federal Transportation dollars escalates, Miami-Dade County may want to re-think and/or evaluate its' financial relationship with the SFRTA. This project is only the tip of the iceberg in terms of the County v. SFRTA for Federal Funds.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

ORDINANCE AMENDING CHAPTER 31, ARTICLE II, OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE REGULATION OF TAXICABS; AMENDING PROVISIONS RELATING TO WHEELCHAIR ACCESSIBLE TAXICABS; CREATING THE SOUTH MIAMI-DADE TAXICAB SERVICE AREA; AMENDING PROVISIONS REGARDING TAXICAB LOTTERY, PROVIDING FOR ISSUANCE OF ADDITIONAL FOR-HIRE TAXICAB LICENSES AND INCREASING PRICE OF FOR-HIRE LICENSES; PROVIDING FOR STUDY REGARDING FOR-HIRE TAXICAB INDUSTRY AND THE IMPOSITION OF FEE TO PAY FOR STUDY; PROVIDING SEVERABILITY; INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Miami-Dade Transit Department

I. SUMMARY

This item seeks to amend Chapter 31, Article II of the Codes of Miami-Dade County governing the taxicab industry.

The amended code would establish new criteria for the taxicab medallion lottery program to distribute up to 35 medallions per year for a three year period for a total of 105 new medallions.

Further the amendment would increase the rates for medallions, establish a new zone in South Miami-Dade County, and develop a report at the end of the three (3) year period detailing the effects on the industry.

II. PRESENT SITUATION

In 1998 the Board of County developed new reforms governing the taxicab industry. Among these reforms was an attempt to create more owner-drivers, issue new medallions through a lottery to drivers only. This lottery would distribute 25 medallions per year for five (5) years

In 1999 the Board approved Ordinance 99-71 created an Underserved Taxicab Service Area and added an additional 2 medallions to the lottery. The recipient of these two medallions could operate only in the designated "Underserved" area.

Further, the Code established an ideal number of Taxicabs within Miami-Dade County as 1 Taxicab per 1000 residents.

Presently there are 1,966 taxicabs operating within Miami-Dade County.

Miami-Dade County's current population is estimated at 2,372,000 residents. Under the goals established under section 31-82(p) of the Code, Miami-Dade County would still be 406 Taxicabs short of the ideal service level.

III. POLICY CHANGE AND IMPLICATION

This amendment would adjust the ideal service level to allow for an additional 105 new medallions to be issued by 2007, bringing the total number to 2071 (or 1 taxi per every 1174 residents).

Discussions between the Consumer Services Department and industry representatives resulted in the understanding that the current market would be adversely affected by the original 1:1000 ratio.

This amendment would also create a South Miami-Dade Service Area and dedicate 7 of the 35 new medallions per year for taxicabs servicing that area only. The Northern boundary of the newly established area would be SW 136th Street.

The amendment would increase the cost of medallions as follows:

<u>Type of Medallion</u>	<u>Current Cost</u>	<u>As Amended</u>
Regular	\$15,000	\$25,000
Underserved Area Medallion	\$10,000	\$15,000

** Wheelchair accessible Taxicab Medallions would cost \$10,000 less than the price of the medallion for the area served, (For example a wheelchair accessible Taxicab Medallion for a Taxi operating in the Underserved Area would be \$5,000.

IV. ECONOMIC IMPACT

Amending the code would result in a negative fiscal impact to the Department of \$4,595,000 over the next 3 years.

The Consumer Service Department uses revenues derived from the medallions to regulate the industry.

V. COMMENTS AND QUESTIONS

This amendment requires a 2/3 vote of the Board.

TRANSPORTATION COMMITTEE ITEM 3(B) & 3(C)

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LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

Item 3(B): *RESOLUTION AWARDING PUBLIC ADDRESS SYSTEM INFRASTRUCTURE (PASI) AGREEMENT TO PRO SOUND, INC. AT MIAMI INTERNATIONAL AIRPORT, PROJECT NO. 1112A; AUTHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE AGREEMENT AND TERMINATION PROVISIONS CONTAINED THEREIN*

Item 3(C): *RESOLUTION AUTHORIZING COUNTY MANAGER TO EXECUTE CHANGE ORDER NO. 1 TO PROJECT NO. 1112A PUBLIC ADDRESS SYSTEM INFRASTRUCTURE (PASI) PROJECT AT MIAMI INTERNATIONAL AIRPORT, WITH PRO SOUND, INC. AND TO MAKE DIRECT PURCHASE OF EQUIPMENT FOR THIS PROJECT FROM THE MANUFACTURER; COMPETITIVE BIDDING THEREFOR IS HEREBY WAIVED UPON WRITTEN RECOMMENDATION OF THE COUNTY MANAGER*

Aviation Department

I. SUMMARY

These proposed resolutions would:

- **Item 3(B):** Award a \$4.347 million contract to Pro Sound, Inc. for Miami International Airport public address system equipment and installation, and
- **Item 3(C):**
 - Immediately reduce the contract by \$3.276 million (-75%) by stipulating that MDAD will provide all equipment by direct purchase from the manufacturer, Innovative Electronic Designs, Inc. (IED); and
 - Waive formal bid waiver requirements for MDAD procurement of equipment from IED.

II. PRESENT SITUATION

New public address system infrastructure is required to integrate new and existing facilities at Miami International Airport (MIA) as provided for the master plan adopted in 2002. The ITB for this project specified that all bidders use an Innovative Electronic Designs, Inc. (IED) system.

On December 8, 2003, the BCC concurred with the County Manager's recommendation to reject all four bids (Pro Sound, Inc.; Altel Systems Group, Inc.; Washington Professional Systems; and Ronco Specialized Systems, Inc.) that had been received for this project because all bids exceeded the project's estimated cost (\$4.1 million) by 72% or more. Furthermore, the BCC directed the County Manager to negotiate with the bidders to seek to revise the scope and lower costs. **Item 3(B)** is the County Manager's award recommendation resulting from negotiations with the two firms (Pro Sound, Inc. and Ronco Specialized Systems, Inc.) that responded to County's offer to negotiate.

TRANSPORTATION COMMITTEE ITEM 3(B) & 3(C)
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III. POLICY CHANGE AND IMPLICATION

In the negotiation process, Roncos' First Best and Final Offer (\$7.190 million) was submitted without an Offer Guarantee and was opined by the County Attorney's Office to not be in compliance with the requirements of the negotiation process (4th paragraph, handwritten p. 8). Therefore, the Negotiation Committee found no further need for review of Ronco's offer. Because Pro Sounds First Best and Final Offer was almost \$3 million less than Ronco's, it seems unlikely that Ronco's noncompliance had any impact on the outcome of the negotiation process.

IV. ECONOMIC IMPACT

Item 3(B):\$4,347,430.47
Item 3(C) (Change #1):-\$3,275,943.50
Net Pro Sound contract cost:.....\$1,071,486.94

Est. County cost to directly procure equipment:...\$3,063,050.50
Est. Total PASI project cost:.....\$4,134,537.44¹ (MDAD)

Original estimated project cost:\$4,112,590.00

The County Manager's memorandum recommending these items indicates that "*County purchase of the equipment directly from the source would save the County approximately \$180,689.00 in sales tax cost, and \$32,204.00 in Performance Bond cost, for an estimated total savings of \$21,893.00*" (first paragraph, handwritten p. 3).

Supporting documentation previously provided to the BCC for the December 8, 2003 meeting, MDAD indicated that the FAA had informed them that Airport Improvement Program (AIP) grant funds would not be available for this project. However, MDAD indicated that it had identified other funding for this procurement.

V. COMMENTS AND QUESTIONS

Net savings to the County from direct purchase of the equipment may not be as large as indicated in the County Manager's memorandum recommending this Item because of several factors.

- Procurement actions by County staff may have both (a) direct costs to execute the procurements and for subsequent warehousing/inventory control of materials and (b) indirect costs (a.k.a. opportunity costs) for deferral of other tasks that could otherwise have been accomplished with the resources to be assigned to this project.

¹ Assumes MDAD avoids impacts from potential "downside risks" associated with direct purchase of equipment such as: (1) manufacturer's price increases, (2) equipment failure/warranty, (3) compatibility, and (4) timely availability of equipment when needed by Pro Sound.

TRANSPORTATION COMMITTEE ITEM 3(B) & 3(C)

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- Direct procurement may open MDAD to potential downside risks such as: (1) manufacturer's price increases, (2) equipment failure/warranty, (3) compatibility, and (4) timely availability of equipment when needed by Pro Sound.

MDAD has been requested to:

- Verify whether Pro Sound could have used the County/MDAD's tax exemption number and thereby eliminate or reduce the assumed sales tax savings; and
- Clarify potential downside risks that MDAD assumes by direct procurement.

TRANSPORTATION COMMITTEE ITEM 3(D)
April 22, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING ADVERTISEMENT FOR COMPETITIVE BIDS FOR LEASE OF APPROXIMATELY 430 ACRES OF LAND FOR FARMING AT HOMESTEAD GENERAL AVIATION AIRPORT WITH A MINIMUM ACCEPTABLE BID OF THREE HUNDRED DOLLARS PER ACRE, AND FURTHER AUTHORIZING COUNTY MANAGER TO EXECUTE LEASE WITHOUT FURTHER BOARD CONSIDERATION

Aviation Department

I. SUMMARY

This is a proposal to competitively bid and award a five-year lease for farming of 430 acres of property at Homestead General Aviation Property, effective August 1, 2004. The proposal provides for a minimum acceptable bid of \$300 per acre per year (\$129,000 per year) as compared to the present lease that is at \$173 per acre per year (\$74,390 per year).

II. PRESENT SITUATION

Advertising and letting of this lease at this time assumes early termination of the previous five (5)-year lease with Wright Way Farms that was effective on October 1, 2000. The County Manager reports that Wright Way Farms' bid in 2000 "*might be vacated by a Court as collusive under Section 2-8.1.1 of the Code of Miami-Dade County*" (5th paragraph, handwritten p. 2). The County Manager indicates that the early termination complies with the provision in the previous lease that provides that either party can terminate the lease without cause upon 180 days advance notice (2nd paragraph, handwritten p. 2).

A lawsuit against the County by Ledford Farms, the leaser that preceded Wright Way Farms, was pending at the time this proposal was discussed at the February 12, 2004 Transportation Committee meeting but has now been voluntarily dismissed without prejudice.

III. POLICY CHANGE AND IMPLICATION

Wright Way Farms objected to the early termination when this resolution was previously heard and was deferred at the February 12, 2004 Transportation Committee meeting (Legislative File Nr. 0402760). This Item was again deferred from the March 11, 2004 Transportation Committee agenda.

The Item being presented to the April 22, 2004 Transportation Committee meeting (Legislative File Nr. 041019) revises the proposed resolution text to attach text for the proposed lease and additional background information in the County Manager's memorandum recommending the Item.

TRANSPORTATION COMMITTEE ITEM 3(D)

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IV. ECONOMIC IMPACT

- Minimum \$300 per acre per year (\$129,000) in MDAD revenue
- +74.3% more than the present lease that is at \$173 per acre per year (\$74,390).

V. COMMENTS AND QUESTIONS

- The rationale for early termination of Wright Way Farms' lease [the situation that led the County Manager to conclude that Wright Way Farms' bid in 2000 "*might be vacated by a Court as collusive under Section 2-8.1.1 of the Code of Miami-Dade County*" (5th paragraph, handwritten p. 2)] has not yet been explained before the Transportation Committee or BCC.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES PURSUANT TO SECTION 4.03(D) OF THE HOME RULE CHARTER, ADMINISTRATIVE ORDER 3-38 AND THE REQUIREMENTS OF RESOLUTION NO. R-1586-72; AUTHORIZING PAYMENT TO VENDORS ASSOCIATED WITH EVENTS SPONSORED AND/OR HOSTED BY MIAMI INTERNATIONAL AIRPORT (MLA) AND ITS GENERAL AVIATION AIRPORTS

Aviation Department

I. SUMMARY

This is a proposal to, for a period of four (4) years, waive formal bid procedures and requirements for procurement of *"professional entertainers, performers and other vendors associated with events sponsored and/or hosted by the Miami International Airport and its general aviation airports....All goods and service secured pursuant to this waiver shall not exceed \$300,000 in total, nor \$25,000 per vendor per event."*

II. PRESENT SITUATION

Per normal procurement procedures.

III. POLICY CHANGE AND IMPLICATION

Approval of this proposed resolution will expedite MDAD Department procurement of the prescribed services. The proposal limits:

- Duration of the waiver to four (4) years;
- Total (cumulative) amount to \$300,000 over the four (4) year waiver; and
- Maximum of \$25,000 per vendor per event.

IV. ECONOMIC IMPACT

The proposed resolution will have no impact on the County budget because the activities are funded from MDAD proprietary funds.

V. COMMENTS AND QUESTIONS

- Unlike the similar waivers previously authorized by the BCC for the Seaport Department (R-1095-03) and for the Park & Recreation Department (R-1252), this Item does not include a requirement for MDAD to obtain prior approval by County Attorney's Office for procurements under the waiver.

TRANSPORTATION COMMITTEE ITEM 3(G)
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LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION EXTENDING APPLICATION OF RENTAL RATES APPROVED PURSUANT TO RESOLUTION NO. R-282-02 THROUGH MARCH 31, 2004; ESTABLISHING REVISED RENTAL RATES FOR OPA-LOCKA AIRPORT, KENDALL-TAMIAMI EXECUTIVE AIRPORT AND HOMESTEAD GENERAL AVIATION AIRPORT FOR PERIOD EFFECTIVE APRIL 1, 2004 THROUGH MARCH 31, 2005 OR UNTIL BOARD ADJUSTS RENTAL RATES, WHICHEVER IS LATER; AUTHORIZING COUNTY MANAGER OR DESIGNEE TO ADMINISTRATIVELY ADJUST RENTAL RATES ON BUILDINGS REQUIRING IMPROVEMENTS TO OBTAIN CERTIFICATE OF OCCUPANCY; AUTHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE FORMAL LEASE AMENDMENTS AS NECESSARY TO EFFECT IMPLEMENTATION

Aviation Department

I. SUMMARY

This resolution proposes adjusting rental rates at MDAD's general aviation airports (Opa Locka Airport, Kendall-Tamiami Executive Airport and Homestead General Aviation Airport) effective April 1, 2004 and extending the existing rates until that date.

The difference between this Item and the Item the Transportation Committee previously passed as Item 3(B) on December 11, 2003 is:

- The County Manager's memorandum recommending this Item describes meetings held with tenants on January 5, 7, 9 and 28, 2004 to discuss rental rate concerns that were raised at the December 11, 2003 Transportation Committee meeting. The proposed rental rates in this Item are unchanged from the rates proposed to the December 11, 2003 Transportation Committee meeting.

II. PRESENT SITUATION

Per the County Manager's memorandum recommending this item, existing rental rates were due to be adjusted on April 1, 2003, but MDAD's updated appraisal report from Slack, Johnston & Magenheimer, Inc. is dated May 30, 2003 (handwritten pp. 7-12.) As a result, the County Manager deferred implantation of the appraisal's recommendations until the next, regular-scheduled adjustment on April 1, 2004 (handwritten p. 2).

See Section V of this analysis for a description of the Federal requirement and of compliance discrepancies at MIA as reported in the U.S. Department of Transportation Office of Inspector General report, *Report on Oversight of Airport Revenue*, FAA Report Nr. AV-2003-030, dated March 20, 2003.

TRANSPORTATION COMMITTEE ITEM 3(G)

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III. POLICY CHANGE AND IMPLICATION

In addition to the rate changes, this proposal would authorize the Aviation Department to administratively adjust the rates to recover costs for improvements made for the forty-year certification process.

IV. ECONOMIC IMPACT

Revised rates will increase revenues for MDAD but may negatively impact tenants and County departments that rent property or facilities at MDAD's general aviation airports.

Note: The U.S. DOT Office of Inspector General cited MDAD in March 2003 for violating federal requirements by not charging market rental rates at MIA. See Section V of this analysis for additional information.

V. COMMENTS AND QUESTIONS

Per the U.S. Department of Transportation Office of Inspector General report, *Report on Oversight of Airport Revenue*, FAA Report Nr. AV-2003-030, dated March 20, 2003:

The Airport and Airways Improvement Act of 1982, as amended and codified in Title 49, United States Code, Chapter 471, requires all airport sponsors receiving Federal assistance to use airport revenues for the capital or operating cost of the airport. Any other use of airport revenue is considered a revenue diversion. Examples of common revenue diversions include charges to the airport for property or services not provided, indirect costs improperly allocated to the airport, and payments of less than fair market rent for use of airport property (pp. 2-3).

Miami-Dade County leased two airport properties to the County Department of Corrections and Rehabilitation (the Department) at substantially below fair market value. The fair annual rent for one property was estimated at \$141,220 in 1995 and \$143,667 in 1998, but the Department only paid \$12,000 annually for the property since 1995. The second property was leased at one-third the estimated FY 1998 annual rate of \$159,387. Thus, the sponsor collected only \$53,129 annually since 1998 for this property. In total, the sponsor diverted \$995,178 in lost rental revenue for these two properties from FYs 1995 through 2000 (p. 14).

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING MIAMI-DADE TRANSIT TO SECURE INDEPENDENT, CERTIFIED (MAI, ASA) PROPERTY APPRAISERS TO PERFORM PROPERTY APPRAISALS ON AN AS-NEEDED BASIS, IN ACCORDANCE WITH ESTABLISHED COUNTY APPRAISER SELECTION PROCEDURES, IN AN AMOUNT NOT TO EXCEED A BLANKET AMOUNT OF \$75,000.00

Miami-Dade Transit Department

I. SUMMARY

This resolution request approval authorizing the Miami-Dade Transit Department to secure the services of independent, certified property appraisers, for the purpose of assisting the County in the acquisition of land and right-of-ways necessary for the expansion of the County's Transit System.

II. PRESENT SITUATION

Other County Departments utilize independent appraisers for similar purposes throughout the County. The previous appraiser selection method required that the Board approve each single appraisal assignment.

III. POLICY CHANGE AND IMPLICATION

This resolution would allow the Department to utilize various County approved appraisers under a blanket contract on an as needed basis.

Due to the scope of services need during the expansion of the County's Transit System, this blanket authorization, for a fixed dollar amount, should help to expedite the process of land appraisals and subsequent purchases.

IV. ECONOMIC IMPACT

This contract is for an amount not-to-exceed \$75,000. The department will pay for the services on a site-by-site basis.

Appraisals related to PTP specific projects may utilize Surtax Revenues if approved by the Citizens' Independent Transportation Trust (CITT).

V. COMMENTS AND QUESTIONS

On September 9, 2003, the Board of County Commissioners approved Item 7(S)(1)(E), allowing, what was then, the Office of Public Transportation Management (OPTM) to utilize a blanket contract for up to \$75,000 for property appraisal services.

Why are we doing this again only seven (7) months later?

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING ISSUANCE OF A NOTICE TO PROFESSIONAL CONSULTANTS FOR THE SELECTION OF A CONSULTANT FOR THE KENDALL CORRIDOR ALTERNATIVES ANALYSIS (AA)

Miami-Dade Transit Agency

I. SUMMARY

This resolution seeks authorization for the Miami-Dade Transit Department (MDT) to advertise a Request for Proposals (RFP) for selection of a consultant to assist the County in developing the Kendall Corridor Alternatives Analysis (AA).

The desired services involve Architectural, Engineering, and Environmental Analyses of various transportation related alternatives for this corridor.

II. PRESENT SITUATION

The County currently has a contract for similar services associated with the Earlington Heights Connector with Parson Brinkerhoff Quade & Douglas, Inc. (PBQD).

Further, the County is currently in the process of advertising for a similar consultant to assist in developing the East/West Corridor project alternatives.

The original Major Investment Study (MIS) and Alternatives Analysis (AA) for the Kendall Corridor were done prior to the passage of the Charter County Transportation Surtax (or ½ cent).

III. POLICY CHANGE AND IMPLICATION

Entering into a new agreement to provide these services would allow for review of the Preferred Alternatives without the financial constraints encountered prior to the passage of the ½ cent. The result may be different model than was originally proffered for this corridor.

IV. ECONOMIC IMPACT

The Manager's Backup Memorandum lists and estimated cost of \$700,000. Further the memo lists the funding sources as:

- 50% - Federal
- 50% - People's Transportation Plan

However, no specific Federal Source is listed.

If Surtax funds are utilized, no contract award shall be made until approval by the Citizen's Independent Transportation Trust (CITT).

V. COMMENTS AND QUESTIONS

Hand written page six (6) of this item is a memorandum from Miami-Dade Transit to the Department of Business Development. In the memorandum the Department contends that this contract may provide for up to \$2,000,000 for Engineering Service.

Hand written page 2 list the cost estimate at \$700,000.

Which dollar amount would be the correct estimate of what the County can expect to pay for these services?

On February 3, 2004 the BCC approved the advertisement to procure the services of a Master Program Consultant. This contract would have an initial term of 7 years at an estimated cost of approximately \$80 million.

Among the functions this contractor would perform are:

- Alternatives Analysis.
- Major Investment Studies
- Engineering consulting
- Traffic Studies

Why wouldn't this Master Program Consultant be able to provide the review of the original MIS and AA for this corridor?

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING THE WAIVER OF FORMAL BID PROCEDURES AND PROVISIONS OF ADMINISTRATIVE ORDER 3-38 AUTHORIZING NEGOTIATION OF CONTRACT TR04-SOS WITH THE WACKENHUT CORPORATION

Miami-Dade Transit Agency

I. SUMMARY

This Item proposes waiving the bid procedures and authorizing the award of the security services contract to Wackenhut Corp.

The contract would be for 5 years.

The dollar amount is to be negotiated.

II. PRESENT SITUATION

Currently, Wackenhut has the security contract for Miami Dade Transit. The contract is set to expire in November 04.

The current contract was a no bid contract that was awarded for substantially the same reasons as before you today. (Only Wackenhut qualifies under the bid requirements). That item was vetoed by the Mayor for the lack of a competitive process. The Mayor Stated in his veto, that even if the company was the best and only firm then we should let the process work its way out so that the public perception would not be that we were awarding a \$40 million dollar contract without a bid. The BCC over rode the Mayor at its next meeting and the contract was awarded.

Recently the Board approved a \$14.8 million dollar change order that was caused by additional security needs associated with enhancements to the PTP and 9/11 required additional security. The total value of the last contract was \$57.8 Million.

Recently the Board has reduced some of the anticipated PTP enhancements, including 24 hour Metrorail and the amount of buses projected to be in place. This may allow for the contract to be reevaluated in terms of the need to build the extra money into the next contract.

Staff reports that only Wackenhut can satisfy the requirements for providing large scale armed private security. This was verified through surveys and questioners by staff. Staff also stated that new security requirements make this even more important. **It should be noted that many of the larger Transit agencies utilize**

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Police officers which could reduce the amount of armed security guards required. In fact the original "Transit not Tolls plan envisioned a larger police role which would have increased police on the transit system and reduced the need for such a large private security contract. That plan however was based on a full penny and not the half that was approved by voters.

It should also be noted that during this contract there have been violent incidents against the security guards themselves, in one case a guard had his gun stolen and was shot.

III. POLICY CHANGE AND IMPLICATION

This would keep with the Boards previous policy in overriding the Mayor's veto and awarding the contract to the only viable bidder (Wackenhut). Is the Mayor's original theme of his veto valid? Would public perception be better if we went through the motions and made Wackenhut "win" the contract that will be worth an estimated \$40-50 million dollars, or is it more efficient and practical to award the contract through negotiations with the Manager with eh only firm we believe qualifies?

IV. ECONOMIC IMPACT

The exact dollar amount per this item is to be negotiated, but the last contract was for \$40+ million with a \$14.8 million dollar **Change Order**.

It is expected according to staff to only require the **PTP to pay 13-16%** depending on how the breakdown of cost is allocated.

In the future this contract will require more money as new service is added. This will not occur during the life of the 5 year contract as no service enhancements of that magnitude will be completed by then.

V. COMMENTS AND QUESTIONS

None see above.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION APPROVING THE AMENDMENT TO THE NEIGHBORHOOD IMPROVEMENTS SECTION OF THE PEOPLE'S TRANSPORTATION PLAN (PTP) TO INCLUDE ROADWAY SIGNAGE, ROADWAY LIGHTING, PAVEMENT MARKINGS, AND TRAFFIC CALMING

Public Works Department

I. SUMMARY

This resolution seeks to amend the Peoples' Transportation Plan (PTP) Neighborhood Improvements section to include:

- Roadway Signage
- Roadway Lighting
- Pavement Markings
- Traffic Calming

The Public Works Department (Department) contends that these elements should have been contained within the PTP and should be eligible for funding through the Charter County Transportation Surtax (1/2 cent).

II. PRESENT SITUATION

These elements are not currently listed under the Neighborhood Improvements Section of the PTP.

III. POLICY CHANGE AND IMPLICATION

Handwritten page two (2) of this item, Paragraph 1 line 3 states that PTP funding for these items would "Supplement" funding and provide better service.

When the ordinance creating the Surtax was passed, the policy decision of the Board was not to use Surtax monies to "supplement" department funding.

IV. ECONOMIC IMPACT

The Manager's Memorandum associated with this item contends that there is no fiscal impact resulting from this amendment..

If County increases the projects eligible for Surtax funding, this would mean that there would be less money available for the projects originally listed in the PTP.

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V. COMMENTS AND QUESTIONS

Among the projects listed by the Department to be included within the PTP, and thus eligible for Surtax Funding, is the \$3.5 million "Street Light Retrofit" program.

This program was begun prior to the passage of the Surtax.

Wouldn't funding for a program begun prior to the passage of the Surtax be considered maintenance of effort?

The Board has been informed recently that the initial projections regarding Surtax Revenues may have been too high.

Further, the Board approved the use of Surtax funding for over \$300 million for painting, escalator repairs, and other maintenance needed at current facilities.

The Board and the CITT need to realize that increasing the types of projects eligible for Surtax funding will have an adverse affect on the funding needs for the major projects that were initially listed in the PTP.